

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Jyri HAMALAINEN et al.

Group Art Unit: Not yet assigned

Application No.: 10/526,547

Confirmation No.: 5269

Filed: March 3, 2005

Attorney Dkt. No.: 59643.00583

For: ANTENNA SELECTION METHOD

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

September 12, 2005

ATTN - MAIL STOP MISSING PARTS

Sir:

Applicants acknowledge receipt of the Notification of Missing Requirements dated July 11, 2005 (copy attached), in the above-referenced application. Applicants filed an executed Declaration with the subject application on March 3, 2005 and paid the formal filing fees. It is respectfully submitted that the filing of the application with the Declaration of March 3, 2005 was sufficient to render the Notification of Missing Requirements as "moot". We enclose copies of the documents and the postcard receipts which are stamped by the United States Patent & Trademark Office as evidence of the above-mentioned submission having been received by the United States Patent & Trademark Office.

Please charge any fee deficiency or credit any overpayment to Counsel's Deposit
Account No. 50-2222.

Respectfully submitted,



Douglas H. Goldhush Reg. #54,749
Registration No. 33,125

Customer Number 32294
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14TH Floor
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Tysons Corner, Virginia 22182-2700
Telephone: 703-720-7800
Fax: 703-720-7802

DHG:kbd

Enclosures: Copy of Application w/Declaration and Filing Fees as filed on March 3,
2005
Copy of Stamp Postcard Receipt
Copy of Notification of Missing Requirements



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

Dtk / PAs (22)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/526,547	Jyri Hamalainen	59643.00583

INTERNATIONAL APPLICATION NO.

PCT/IB02/03621

LA. FILING DATE	PRIORITY DATE
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09/06/2002

32294
 SQUIRE, SANDERS & DEMPSEY L.L.P.
 14TH FLOOR
 8000 TOWERS CRESCENT
 TYSONS CORNER, VA 22182

CONFIRMATION NO. 5269

371 FORMALITIES LETTER



OC000000016475681

Date Mailed: 07/11/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/03/2005
- Copy of the International Search Report filed on 03/03/2005
- Copy of IPE Report filed on 03/03/2005
- Copy of Annexes to the IPE filed on 03/03/2005
- Preliminary Amendments filed on 03/03/2005
- Information Disclosure Statements filed on 03/03/2005
- Request for Immediate Examination filed on 03/03/2005
- U.S. Basic National Fees filed on 03/03/2005
- Assignment filed on 03/03/2005
- Specification filed on 03/03/2005
- Claims filed on 03/03/2005
- Drawings filed on 03/03/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

"ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAYA L LEWIS BALTIMORE

Telephone: (703) 308-9140 EXT 202

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/526,547	PCT/IB02/03621	59643.00583

IC06 Rec'd PCT/PTO 12 SEP 2005

FORM PTO-1390
(REV 07-2005)

DUPLICATE

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.
59643.00583

DATE: September 12, 2005

U.S. APPLN. NO.
(IF KNOWN, SEE 37 C.F.R. 1.5)
10/526,547

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

INTERNATIONAL APPLICATION NO.
PCT/IB02/03621

INTERNATIONAL FILING DATE
September 6, 2002

PRIORITY DATE CLAIMED

TITLE OF INVENTION: ANTENNA SELECTION METHOD

APPLICANT(S) FOR DO/EO/US: Jyri HAMALAINEN, Esa TIIROLA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
(THE BASIC FILING FEE IS ATTACHED)
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. ☐ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

Items 11 - 20 below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ Application Data Sheet.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Copy of Application with drawings with declaration as filed on March 3, 2005; copy of stamped postcard receipt.

U.S. APPLN. NO. (IF KNOWN, SEE 37 C.F.R. 1.50) 10/526,547		INTERNATIONAL APPLICATION NO. PCT/IB02/03621		ATTORNEY DOCKET NO. 59643.00583	
				DATE: September 12, 2005	
The following fees have been submitted 21. <input type="checkbox"/> Basic National Fee (37 CFR 1.492(a)).....\$300.00				CALCULATIONS	PTO USE ONLY
				\$	
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) <ul style="list-style-type: none"> • If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1) - (4)\$0.00 • All other situations.....\$200.00 				\$	
				\$	
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) <ul style="list-style-type: none"> • If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0.00 • Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the United States Patent & Trademark Office as an International Search Authority.....\$100.00 • International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....\$400.00 • All other situations.....\$500.00 				\$	
				\$	
TOTAL OF 21, 22 and 23 =				\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 C.F.R. 1.492(e)].				\$	
Claims	Number Filed	Number Extra	Rate		
Total Claims	- 20 =		X \$ 50.00	\$	
Independent Claims	- 3 =		X \$ 200.00	\$	
Multiple dependent claim(s) (if applicable)			+ \$360.00	\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		X \$250.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
Reduction by one-half for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.				\$	
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)]. +				\$	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEES ENCLOSED =				\$	
				Amount to be refunded	\$
				Charged	\$

U.S. APPLN. NO. (IF KNOWN,
SEE 37 C.F.R. 1.50) 10/526,547

INTERNATIONAL APPLICATION
NO. PCT/IB02/03621

ATTORNEY DOCKET NO. 59643.00583


DATE: September 12, 2005

- a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.
- b. ☐ Please charge Counsel's Deposit Account No. 50-2222 in the amount of \$_____ to cover the above fee.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to
Counsel's Deposit Account No. 50-2222.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive
[37 C.F.R. 1.137(a) or (b)] must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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Douglas H. Goldhush ^{for} Reg. # 54,749
Reg. No. 33,125